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Federal court upholds Republican initiative to limit out-of-state trash

LANSING – Michigan has moved one step closer to having the out-of-state waste restrictions residents have been calling for, thanks to a ruling issued Friday in federal court upholding state law.

U.S. District Court Judge Avern Cohn has ruled Michigan's new restrictions on out-of-state waste are constitutional and can be implemented Nov. 1.

"This is an important issue to residents across the state," said Sen. Cameron S. Brown, R-Fawn River Township. "I'm glad to see the court upheld our legislation."

The package of laws imposes restrictions on the importation of Canadian and out-of-state waste, sets a two-year moratorium on new landfills and gives broader authority to the Michigan Department of Environmental Quality to enforce these tougher garbage standards.

Under the new rules, all Canadian and out-of-state waste is required to meet the same stringent standards Michigan has for its own waste. Landfills are required to refuse any out-of-state waste that does not meet the tough standards.

The new laws represent a bi-partisan effort to limit the importation of Canadian and out-of-state waste. Canadian and out-of-state-waste accounts for approximately 25 percent of all trash entering Michigan's landfills.

"We had to reduce the seemingly endless string of trucks carrying load after load of trash into Michigan," Brown said. "Out-of-state waste needs to be held to the same stringent standards as our own waste."

The National Solid Wastes Management Association sued to block the new laws in April on the grounds that only Congress, not the state of Michigan, has the power to regulate interstate commerce, including trash.

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